



Department of Justice

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NEW CASTLE RESIDENT CHARGED WITH SOCIAL SECURITY FRAUD

PRESS RELEASE

INDIANAPOLIS - Viola Whalen, 49, New Castle, Ind., was charged last Wednesday with three counts of social security fraud, following an investigation by the Social Security Administration, Office of the Inspector General.

The indictment alleges that Whalen received social security funds to which she was not entitled and used those funds in an unauthorized manner. In December 1990, Whalen applied to be the payee representative for a child named as John Doe in the indictment. John Doe's father had died in February 1990, and John Doe was eligible to receive survivor benefits after his father's death. Whalen, as John Doe's mother, certified yearly that she used the money for John Doe's care and support. In fact, John Doe lived with and was supported by other family members and was not and had not been in Whalen's care since he was approximately one year-old. The indictment further alleges that since 1991, Whalen received approximately \$117,000 to which she was not entitled for John Doe's care and support.

According to Assistant U.S. Attorney Gayle L. Helart, who is prosecuting the case for the government, Whalen faces a maximum of 5 years in prison on each count and a \$250,000 fine on each count. Following a hearing held on August 30, 2010, Whalen was released on her own recognizance pending disposition of this case before a U.S. Magistrate Judge.

An indictment is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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